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11 UNITED STATES DISTRICT COURT  
12 FOR THE EASTERN DISTRICT OF WASHINGTON  
13

14 JEREMY OLSEN,

15 Plaintiff,

16 v.

17 XAVIER BECERRA, in his official  
18 capacity as Secretary of the United States  
19 Department of Health and Human  
20 Services,

21 Defendant.

No. 2:21-CV-00326-SMJ

DECLARATION OF  
JOHN T. DRAKE

22 I, John T. Drake, hereby declare as follows:

23 1. I am over the age of 18 and competent to testify herein. I have personal  
24 knowledge of the facts set forth below.

25 2. I am counsel of record for Defendant in the above-captioned case.

26 3. Attached hereto as **Exhibit A** is a true and correct copy of a Medicare  
27 Summary Notice (“MSN”) addressed to Plaintiff dated January 21, 2022. This MSN  
28 shows that Plaintiff’s claim for reimbursement of 90 continuous glucose monitor

1 (“CGM”) sensors with a date of service of October 13, 2021, was paid under claim  
2 number 21288839976002.

3 4. Attached hereto as **Exhibit B** is a true and correct copy of an MSN  
4 addressed to Plaintiff dated February 18, 2022. This MSN shows that Plaintiff’s claim  
5 for reimbursement of 90 CGM sensors with a date of service of January 24, 2022, was  
6 paid under claim number 22027829096000.  
7

8 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the above  
9 statements are true and correct.  
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11 DATED: March 24, 2022  
12

13 Respectfully submitted,  
14

15 s/John T. Drake  
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17 John T. Drake  
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## CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2022, I caused to be delivered via the method listed below the document to which this Certificate of Service is attached (plus any exhibits and/or attachments) to the following:

NAME & ADDRESS	Method of Delivery
Roger Townsend BRESKIN JOHNSON TOWNSEND 1000 Second Ave., Suite 3670 Seattle, WA 98104	<input checked="" type="checkbox"/> CM/ECF System <input type="checkbox"/> Electronic Mail <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Other: _____
James Pistorino PARRISH LAW OFFICES 788 Washington Road Pittsburgh, PA 15228	<input checked="" type="checkbox"/> CM/ECF System <input type="checkbox"/> Electronic Mail <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Other: _____

s/John T. Drake  
John T. Drake